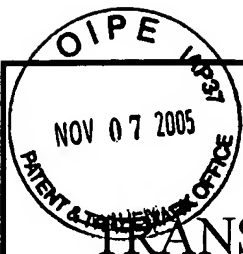


DPW

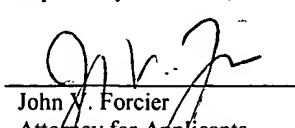


TRANSMITTAL FORM

Application Serial Number	10/712,790
Filing Date	November 12, 2003
First Named Inventor	Van Noy
Group Art Unit	3728
Examiner Name	Kavanaugh, John T.
Attorney Docket No.	ADI-098
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> Second Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414	Respectfully submitted, <div style="text-align: center;">  John Y. Forcier Attorney for Applicants Goodwin Procter LLP Exchange Place Boston, MA 02109 </div> <div> Date: November 3, 2005 Reg. No. 42,545 Tel. No.: (617) 570-1607 Fax No.: (617) 523-1231 </div>



PATENT
Attorney Docket No. ADI-098

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Van Noy *et al.* CONFIRMATION NO. 7808
SERIAL NO.: 10/712,790 GROUP NO.: 3728
FILING DATE: November 12, 2003 EXAMINER: Kavanaugh, John T.
TITLE: SHOE VENTILATION SYSTEM

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3rd day of November, 2005.


Linda M. Penta

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted herewith are:

1. Transmittal Form (1 page);
2. Response to Species Election Requirement (1 page); and
3. Return Receipt Postcard



PATENT
Attorney Docket No. ADI-098

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO SPECIES ELECTION REQUIREMENT

This paper is responsive to the Office action mailed from the Patent Office on October 11, 2005. The shortened statutory period for response expires on November 11, 2005.

REMARKS

The Office action indicates that there are three patentably distinct species depicted in the figures and that claim 1 appears to be generic. A summary of the species as outlined in the Office action follows:

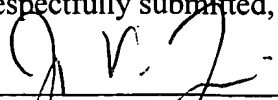
- I FIGS. 1-3;
- II. FIG. 4;
- III. FIGS. 5-6;

Applicants hereby elect with traverse species III, as represented by FIGS. 5-6. Applicants submit that at least claims 1-14 and 18-35 are readable on the elected species.

CONCLUSION

Applicants hereby elect with traverse species III, and request allowance of claims 1-35 in due course. The Examiner is invited to telephone the undersigned attorney to discuss any outstanding issues.

Respectfully submitted,



John V. Forcier
Attorney for Applicants
Goodwin Procter LLP
Exchange Place
Boston, Massachusetts 02109

Date: November 3, 2005

Reg. No. 42,545
Customer No. 051414
Tel. No.: (617) 570-1607
Fax No.: (617) 523-1231